

Sub B 4

17. (New) A method for chemical-mechanical polishing a wafer, using a CMP apparatus having a polishing table including a polishing pad and a wafer carrier adapted to carry a wafer relative to the center of the polishing table, the method comprising:

means for using the polishing pad, polishing the wafer at a position relative to the center;

means for determining that the wafer is being polished in a center-offset manner; and

means for conditioning the pad as a function of the wafer being polished in the center-offset manner.

Remarks

Favorable reconsideration of this application is requested in view of the following remarks. For the reasons set forth below, Applicant respectfully submits that the claimed invention is allowable over the cited references.

The Office Action dated April 14, 2000, indicated that restriction to Group I, claims 1-10 or Group II, claims 11-16, was required. The rationale cited MPEP 806.05(e), but truncated the most relevant sentence. This sentence explains that it is inappropriate to restrict method claims from apparatus claims where the apparatus claims include a linking claim to "means" for practicing the process. Thus, the MPEP states in pertinent part:

Process and Apparatus for Its Practice - Distinctness In applications claiming inventions in different statutory categories, only one-way distinctness is generally needed to support a restriction requirement. See MPEP Section 806.05(c). Process and apparatus for its practice can be shown to be distinct inventions, if either or both of the following can be shown: (1) that the process as claimed can be practiced by another materially different apparatus or by hand, or (2) that the apparatus as claimed can be used to practice another and materially different process. If the apparatus claims include a claim to "means" for practicing the process, the claim is a linking claim and must be examined with the elected invention.

SECTION 806.05(e).

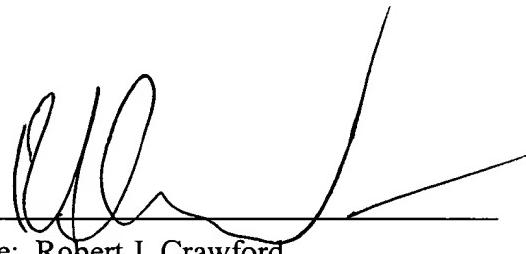
In response to the restriction of the claims, Applicant elects Group II and respectfully traverses the restriction of the claims. In this instance, claim 11 (and new claim 17) is a linking claim tying claims 1-10 with claims 11-16. Accordingly, the MPEP requires that the restriction must be removed.

In view of the above, Applicant submits that each of the claims is in condition for allowance. Reconsideration and withdrawal of the rejections, along with a favorable response, are earnestly requested.

Please charge Deposit Account No. 01-0365 (TT2512) the amount of \$78.00 for the additional independent claim.

Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is encouraged to contact the undersigned at 651/686-6633.

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